

**Remarks/Arguments:**

Claims 3, 6 and 16-19 are pending and stand rejected.

By this Amendment, claims 3, 6 and 16-19 are amended.

No new matter is added by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at the paragraph spanning pages 12 and 13.

**Claim Objections**

In the Office Action, at item 2, claims 3, 6 and 16-19 are objected to because of informalities therein.

Claims 3, 6 and 16-19 have been amended to overcome these objections.

Reconsideration is respectfully requested.

**Rejection of Claims 3, 6 and 16-19 under 35 U.S.C. §103(a)**

In the Office Action, at item 5, claims 3, 6 and 16-19 are rejected under 35 U.S.C. §103(a) as unpatentable over Kuwabara et al. (Japanese Patent No. JP411015850A) using both the Derwent and JPO abstracts in view of Platt (US Patent No. 5,421,009) and in further view of Postel et al. (RFC0959, 1985), Bennett (Reliability of TCP/IP and the Internet, 1996) and McCarty (Linux Command Quick Reference, 1999).

Reconsideration is respectfully requested.

**Claim 3**

Claim 3 is directed to a data storage system comprising a vehicle mounted terminal mounted on a vehicle, and a fixed information center for transmitting data to said vehicle-mounted terminal in response to a request from said vehicle-mounted terminal, and recites:

... data deletion means for automatically deleting pieces of data stored in said permanent cache means of said vehicle mounted terminal responsive to said permanent cache data means not being sufficient to store said permanent cache data ...

That is, the data deletion means automatically deletes stored data responsive to said permanent cache data means not being sufficient to store said permanent cache data.

#### **Kuwabara Reference**

The Examiner acknowledges that based on the abstracts (the Derwent and JPO abstracts of Kuwabara) there is no explicit teaching of "data deletion means automatically deleting pieces of data stored in said permanent cache means of said vehicle mounted terminal, said pieces of data being deleted automatically without user intervention to increase said available storage space in said permanent cache means of said vehicle mounted terminal to a sufficient amount of available storage space needed to store said transmitted data." Applicants agree with the Examiner and further submit that Kuwabara based on these abstracts does not disclose or suggest automatic deletion of data in said permanent cache means responsive to said permanent cache means not being sufficient to store said permanent cache data.

#### **Platt Reference**

The addition of Platt does not overcome the deficiencies of Kuwabara. This is because Platt does not disclose or suggest "data deletion means for automatically deleting pieces of data stored in said permanent cache means of said vehicle mounted terminal responsive to said permanent cache data means not being sufficient to store said permanent cache data," as required by claim 3. Instead, Platt teaches automatic deletion of files no longer used after installation of software. (See Platt at column 7, lines 10-15). Platt however, is silent regarding deletion of files responsive to disk space on the remote computer being insufficient. More particularly, as shown in Fig. 8, after the disk space on the remote computer is determined to be insufficient at block 818, the Platt process merely branches to block 814 so that a print error message is printed. That is, Platt does not disclose deletion after a determination of insufficiency of disk space. Applicants note, instead, that in Platt, deletion of installed software, occurs responsive to the disk space on the remote computer system being sufficient. That is, certain files stored on the remote system for installation are eventually deleted at block 828. The process only branches to block 828 if it is determined that the remote computer system has sufficient disk space to install the software. Thus, Platt only teaches deletion of files when the disk space on the remote system is sufficient.

### **Postel, Bennett and McCarty References**

The addition of Postel, Bennett and McCarty does not overcome the deficiencies of Kuwabara and Platt. This is because Postel, Bennett and McCarty do not disclose or suggest "data deletion means for automatically deleting pieces of data stored in said permanent cache means of said vehicle mounted terminal responsive to said permanent cache data means not being sufficient to store said permanent cache data," as required by claim 3. Postel, Bennett and McCarty, which the Examiner uses to teach elements of networking which are Linux, TCP/IP and FTP, are silent regarding, for example, "a vehicle mounted terminal" or "data deletion means for automatically deleting pieces of data ... responsive to said permanent cache data means not being sufficient to store said permanent cache data," as required by claim 3.

Accordingly, it is submitted that claim 3 patentably distinguishes over Kuwabara using both Derwent and JPO abstracts in view of Platt in further view of Postel, Bennett and McCarty for at least the above-mentioned reasons.

### **Claim 6**

Claim 6, which includes similar but not identical features to those of claim 3, is submitted to patentably distinguish over Kuwabara using both Derwent and JPO abstracts in view of Platt and further in view of Postel, Bennett and McCarty for at least similar reasons to those set forth regarding claim 3.

### **Claims 16-19**

Claims 16-19, which include all of the limitations of claim 3 or claim 6 are submitted to patentably distinguish over Kuwabara using both the Derwent and JPO abstracts in view of Platt in further view of Postel, Bennett and McCarty for at least the same reasons as claim 3 or claim 6.

**CONCLUSION**

In view of the claim amendments and remarks, Applicants submit the application is condition for allowance, which action is respectfully requested.

Respectfully submitted,



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